

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANANT KUMAR TRIPATI,

*Plaintiff,*

v.

WEXFORD HEALTH SOURCES INC, *et al,*

*Defendants.*

Civil Action No. 2:20-cv-427

Hon. William S. Stickman IV

**ORDER OF COURT**

Pending before the Court is the Motion for Leave to Proceed *in forma pauperis* (“IFP”) filed by Anant Kumar Tripathi (“Plaintiff”) and United States Chief Magistrate Judge Cynthia Reed Eddy’s Report and Recommendation that the motion be denied pursuant to 28 U.S.C. § 1915(g). (ECF Nos. 1 & 2). Chief Magistrate Judge Eddy found that Plaintiff has filed at least three actions in federal court that were either dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. She concluded that Plaintiff cannot proceed IFP in this action pursuant to § 1915(g) because he was not in imminent danger of serious physical injury at the time he filed his Complaint. (ECF No. 2). Plaintiff was served with the Report and Recommendation and he filed a Response to it on April 21, 2020, noting that ECF “is accurate,” he “will not be objecting,” and that he was going to contact his family to pay the requisite fees. (ECF No. 3).

Since Plaintiff has lodged no objections, the Court will not disturb Magistrate Judge Eddy’s conclusions in her Report and Recommendation. The Court ADOPTS the Report and Recommendation (ECF No. 2) as the Opinion of the Court. The record before the Court clearly

demonstrates that Plaintiff has accumulated three strikes and he was not in imminent danger of serious physical injury.

AND NOW, this 24 day of April 2020, IT IS ORDERED that Plaintiff's Motion for Leave to Proceed IFP (ECF No. 1) is DENIED pursuant to 28 U.S.C. § 1915(g). IT IS FURTHER ORDERED that this action is DISMISSED until such time as Plaintiff pays the full \$400.00 filing fee. The Clerk of Court is ORDERED to mark this case ADMINISTRATIVELY CLOSED.

BY THE COURT:

A handwritten signature in black ink, appearing to read "W S Stickman IV", written over a horizontal line.

WILLIAM S. STICKMAN IV  
UNITED STATES DISTRICT JUDGE